

This section introduces some tools and techniques used by municipalities to address planning issues. Different tools may be useful to your community at various stages of the planning process.

You are encouraged to contact the communities that are used as examples to discuss their actual experiences.

## DEVELOPMENT AND OWNERSHIP STRUCTURES FOR AFFORDABLE HOUSING

### CDCs and other Non-profit Organizations

Affordable housing can be developed and/or owned by non-profit groups such as a community based development group, community development corporation (CDC), or church. The advantages are that the housing can be developed less expensively and remain affordable in perpetuity.

For a complete listing of non-profit homeowner associations in Massachusetts, contact: CHAPA - Citizens' Housing & Planning Association, 18 Tremont Street, Boston, MA 02109. Telephone: (800) 466-3111. Or go to <http://www.chapa.org>

#### Examples:

- Dorchester Bay Economic Development Corporation (EDC) takes a very broad and comprehensive approach to affordable housing in its target area. DBEDC owns and manages 564 units, develops and rehabilitates housing, provides housing rehabilitation loans, and works to engage its tenants in community and educational activities. DBEDC is also well networked in the Uphams Corner area (e.g., active Main Streets participant) and participates in a wide variety of activities to increase quality of life and neighborhood stability. DBEDC telephone: (617) 825-4200.
- North Shore Community Action Programs, Inc., Peabody (for Peabody, Beverly Salem and Danvers). NSCAP's Homelessness Intercept Program and housing programs have raised or accessed \$68,000 from a variety of sources/funds for direct payments, allowing many low-income/at-risk families to find housing. NSCAP telephone: (978) 531-0767, ext. 106.
- Boston's Urban Edge Housing Corporation has successfully produced/renovated properties for the low/moderate income population. Telephone: (617) 522-5515.
- Oak Hill CDC in Worcester has also been able to access and renovate properties for homeownership opportunities. Oak Hill CDC telephone: (508) 754-2858.
- WEIR Corp. in Taunton also seeks to procure abandoned/distressed properties and renovate them for home ownership or downtown revitalization. Telephone: (508) 821-9347.

A complete listing of CDC appears on page CC-1.

### Limited Equity Cooperatives

In a limited equity cooperative, each resident is a shareholder in the member-controlled management corporation which holds title to the property. The residents lease the units from the cooperative, and they elect a board of directors to operate the cooperative. Purchase of the stock is similar to a down payment but usually costs less. A member also pays a proportionate share of the cooperative's mortgage, taxes, maintenance, and operating expenses.

To preserve the housing as affordable, a formula determines the resale value of the stock. The formula tries to provide a fair return on members' investments, while keeping the resale value in a price range accessible to low- and moderate-income members.

Limited equity co-ops offer specific advantages over rental housing, including security, tax deductions, and some equity build-up, while housing costs remain lower in the long run. The cooperative is eligible for government subsidies that can reduce purchase costs or provide financing for the building.

Limited equity homeownership limits the resale prices of condominium or single-family units, in a manner similar to limited equity cooperatives. This approach is required through some state and federally subsidized programs and could be built into any locally developed program to preserve affordability. Typically, the length of deed restrictions used to limit equity remain in place no longer than 40 years.

### Community Land Trust (CLT) for Housing

A CLT is a member-controlled nonprofit organization that owns the underlying land and leases its use to the individual homeowners living upon it, typically under a 99-year ground lease. This concept, in some ways similar to that of a condominium, substantially reduces the cost of homeownership. Homeowners are guaranteed security through lifetime and long-term renewable leases, and they may recapture labor and capital investments. When owners choose to sell, the CLT retains the first option to buy the leaseholder's buildings or other improvements at a predetermined price, thereby keeping the units affordable.

When the CLT acquires vacant land, the trust may develop the land itself, join with another nonprofit entity to construct affordable housing, or lease the land to individuals or groups to develop. When the CLT acquires existing buildings, it can help reduce the purchase costs to lower-income households by securing government subsidies, direct grants, favorable lending terms, or in some cases, by organizing volunteer labor to assist with the rehabilitation. The building may be structured as a single unit, condominium, rental unit, or cooperative.





### Local Housing Trust

Affordable housing trusts usually are nonprofit corporations established by a city or town. The trust is typically governed by a Board of Directors and may be under the supervision of the Board of Selectmen or Town Manager. Because local residents govern affordable housing trusts, they generally undertake projects that reflect the housing goals of the community in a way that fits in with the community's housing needs.

Example:

Chapter 126 of the Acts of 1999, An Act Establishing a Nonprofit Housing Corporation for the Town of Belmont.

### ENCOURAGING HOUSING AND LIVE-WORK UNITS IN COMMERCIAL AREAS

Upper story apartments in commercial buildings can turn a business district into a lively mixed-use community.

Examples:

- The City of Lowell is doing this with some of the old mill buildings located within the Jackson Appleton Middlesex Urban Revitalization and Development Plan. For information contact the city's Chief Planner. Telephone: (978) 970-4258.
- Boston has allowed for the development of live-work units (i.e. artists' studios and living spaces). For information contact the Boston Redevelopment Authority. Telephone: (617) 722-4300.
- For general information on this topic go to <http://www.live-work.com/codes.html>
- Mashpee Commons in Mashpee is a work-in-progress attempt to transform an older mall into a town center using principles of new urbanism or traditional neighborhood design (TND), including upper story apartments, as well as shopping and services. For more information contact the project's manager, Cornish Associates. Telephone: (401) 421-0254. Or visit the project's website at <http://www.mashpeecommons.com>
- The City of Taunton has made a concerted effort to develop new housing opportunities in the upper stories of older commercial buildings in its downtown. For more information contact the Mayor's Office of Community Development, (508) 821-1030 or First Taunton Group (508) 822-1760. Also see: <http://www.ci.taunton.ma.us/>
- The Acre Urban Revitalization and Development Project in Lowell is an urban renewal plan that aims to strengthen this older neighborhood by creating opportunities for both homeownership and small business development. The plan will take advantage of the tools provided by urban renewal as well as zoning changes to transform underutilized commercial sites into housing opportunities while enlivening the neighborhood's commercial streets through new mixed-use and business development opportunities. For more information contact the city's Division of Planning and Development. Telephone: (978) 970-4258.

- The City of Fitchburg is working on an urban renewal plan that encourages the development of housing units on the upper floors of commercial buildings along Main Street. For more information contact the city's Community Development Office. Telephone: (978) 345-1018.

## CONVERSION OF UNDER-UTILIZED SPACE FOR HOUSING

### Accessory Apartments

Accessory apartments are located on existing residential properties, either within the original structure, in a garage or carriage house, or created as a separate detached structure. The rent provides additional income for the owner. Such apartments increase the supply of affordable housing, and are especially well suited for small households, the elderly, and single people. The development cost is less than new construction, and there is less impact on undeveloped open space or agricultural land. In addition, the cost to the community for accessory apartments is less than for additional detached single-family homes, since they are located in areas already served by public services.

Most zoning codes already allow one unit to be added to an average single-family dwelling. A community may modify its zoning to allow two accessory apartments in a larger home (over 2,500 square feet) provided that the bonus unit is affordable. The owner would sign an agreement to make the unit affordable as a condition of the building permit, and would certify that the agreement was met prior to issuance of an occupancy permit.

How is it implemented? Zoning bylaws adopted by city council or town meeting may be regulated by a special permit issued by the Planning Board, Board of Appeals, or Board of Selectmen. Considerations in adopting this bylaw include:

- Requirement for owner occupancy.
- Limits on the amount of alteration.
- Limit on the number of bedrooms permitted.
- Minimum size of the structure to be altered.
- Restrictions on occupancy (e.g. in-law apartments; live-in help; number of occupants)

#### Examples:

Bylaws allowing accessory apartments have been adopted by several communities, including: Adams, Lexington, and Wenham.

### Conversion of larger homes to multi-family housing

A zoning bylaw can allow the conversion of large homes to smaller units, either as rental apartments or condominiums. This can maintain the property owner's investment in a building that may be too

### *Sustainable Design/ Green Building*

*Erie-EllingtonHomes/  
Boston -- The Codman  
Square Community  
Development Corporation  
and the City of Boston  
teamed up with the Green  
Village Company to build  
50 new, high quality,  
environmentally designed  
homes and a community  
center. For more information  
contact the Codman Square  
Community Development  
Corporation at  
(617) 825-4224, and the  
Green Village Company at  
(617) 491-1888 or visit  
[http://www.eren.doe.gov/  
buildings/building\\_america/  
news.shtml](http://www.eren.doe.gov/buildings/building_america/news.shtml).*

*\* For general information  
on greening affordable  
housing see:  
<http://www.globalgreen.org/>*







expensive to maintain as a single residence or in which the extra space is no longer needed, while increasing the supply of affordable housing units in the community.

#### Examples:

"Great Estates" bylaws, which allow new uses for larger historic structures while preserving open space, have been adopted in Ipswich, Lenox, North Andover, and Stockbridge.

Several towns have bylaws specifically allowing the conversion of single-family homes to two-family, including Acushnet, Hamilton, West Stockbridge, and Williamstown.

### Inclusionary Zoning (IZ)

The state's Zoning Act authorizes communities to enact inclusionary zoning provisions allowing higher density development for the construction of housing for persons of low- or moderate-income. Massachusetts' Zoning Act does not specifically permit mandated inclusionary zoning provisions. If a community enacts an IZ regulation that provides for a density bonus, such bonus can only be authorized by special permit. Inclusionary zoning can provide an effective tool for the community's affordable housing program. Unlike other states, in Massachusetts, the city or town can only provide incentives for inclusion of affordable units under certain circumstances.

The state's Zoning Act, (M.G.L., c. 40, s. 4) requires that zoning regulations must be uniform for each class or kind of structures that are permitted within a zoning district. Proposed bylaws must pay careful attention to this uniformity requirement.

### Linkage Payments

Linkage is a limited tool that may be useful under certain circumstances for developing housing for low- and moderate-income people.

In linkage programs, cash contributions are made to the community to serve a public purpose (e.g., adding to the low- and moderate-income housing in a community) as a means of recognizing the impacts of large-scale projects. The zoning regulation must be able to demonstrate and document the cost link between the development fee and the public purpose served before such payments can be charged. The funds collected can be put into a housing trust fund and used by the community to develop the housing. It is usually not developed on the site of the development to which it is linked.

Currently, there appear to be two avenues for adopting a linkage program in Massachusetts:

- Authorization within special legislation for a particular city or town to adopt a linkage program; or



- Including in the municipality's zoning regulations a linkage arrangement relating to a special permit bonus zoning regulation. However, there is no court case to provide specific guidance on the legality of this approach.

How is it implemented? Adoption as a zoning bylaw or ordinance and regulated by special permit by the Planning Board, Board of Appeals, Board of Selectmen, or City Council.

Examples of where it is used: Boston, Brookline, Westwood

### Comprehensive Permit

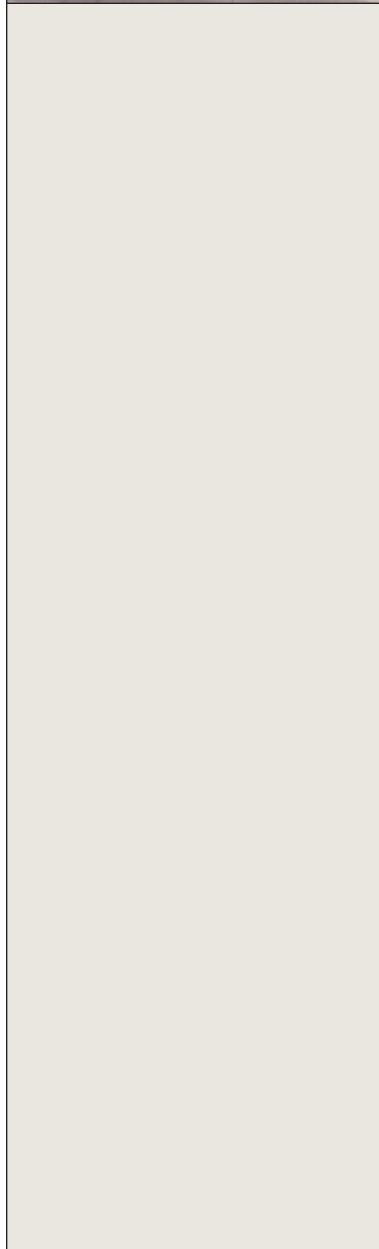
To ensure that communities do not use zoning and other local permits to exclude affordable housing, M.G.L. Chapter 40B allows the developer of subsidized low- and moderate-income housing to request a Comprehensive Permit from the local Board of Appeals in order to bypass certain local zoning and other regulation, including density. While the Board of Appeals may not reject an application due to general opposition or a "not in my back yard" position, it may impose reasonable restrictions (i.e. size of development, site planning and specific characteristics of the project to the extent the conditions are supported by objective evidence). The conditions imposed cannot make the project economically unfeasible. The local action is subject to appeal to the state's Housing Appeals Committee (HAC).

A Comprehensive Permit is not authorized in communities that meet certain state standards for affordable housing, including:

- In excess of 10% of the housing units in existence as of the last federal decennial census are subsidized.
- At least 1.5% of the land area zoned for residential, commercial or industrial use is utilized for subsidized low- or moderate-income housing.

The application would result in the commencement of construction of subsidized housing for low- and moderate income households comprising more than 0.3% or 10 acres, whichever is larger, of land zoned for commercial, industrial, or residential development in any one calendar year, provided, however, that land area owned by the United States, the Commonwealth or any political subdivision thereof, the Metropolitan District Commission or any public authority shall be excluded from the total land area referred to above.

As referenced in the guidelines for Local Review of Comprehensive Permits developed by the DHCD Housing Appeals Committee (HAC), it is wise for the community to negotiate with the developer to ensure that the project will best meet the community's housing needs and legitimate planning concerns. To this end, the Mayor or Selectmen should appoint an individual or a local housing partnership to talk with developers, identify concerns and possible areas for






## COMMUNITY PLANNING PROFILE

*The Challenge:  
Building affordable  
housing in your own  
backyard*

*The Solution:  
Dickson Meadows, Weston*

*Weston residents Ed and Polly Dickson wanted to do something about the shortage of affordable housing in their community. In 1997, they donated ten acres of land in their backyard to a non-profit organization. Dickson Meadows, built by Community Builders, will be an 18-unit, single-family, mixed-income community.*

*Approvals were granted using the Comprehensive Permit Process.*



negotiation with the developer and local boards, and/or guide the developer through the local permitting process. Such negotiations may lead to a "friendly" comprehensive permit when the community takes an active role in site selection and project planning to assure that the project meets the community's planning objectives.

### Resources Available

- The DHCD Peer to Peer Program provides grants to communities to have a local official from a community with Comprehensive Permit experience to work as a peer for up to thirty hours with a community facing their first Comprehensive Permit application. Contact DHCD's Division of Municipal Development, (617) 727-7001.
- The Massachusetts Housing Partnership Fund has grant funds available to communities to analyze applications for Comprehensive Permits. Telephone: (617) 338-7868.
- Guidelines for Local Review of Comprehensive Permits, issued by the DHCD Housing Appeals Committee (HAC), are on the DHCD web site ([www.state.ma.us/dhcd/components/hac/guide-localreview.htm](http://www.state.ma.us/dhcd/components/hac/guide-localreview.htm)).

### Examples:

The Comprehensive Permit law has been used in Barnstable, Lexington, Weston, Westwood, Whately, and other communities.

## LOCATING SITES FOR AFFORDABLE HOUSING

### Use of tax title properties and other public lands

A community may have tax title or other public land or buildings that are suitable for reuse or development for low- and moderate-income housing. Donation or transfer of the land or building at below market value helps reduce the cost of the units.

CHAPA has published a report, "Back on the Roll in Massachusetts," which suggests strategies that a community may use to return tax title properties to productive use. While this is an approach most often utilized in larger, urban communities, it has some application for all communities. In addition, there may be an underutilized building such as a school that could be donated to a developer who agrees to provide low- and moderate-income housing.

Section 16 of M.G.L. Chapter 30B covers the process to be used in finding a suitable developer, in what is essentially a reverse of the usual procurement process.

### Right of First Refusal

Under M.G.L. Chapters 61, 61A, and 61B, private landowners can receive a tax reduction in return for devoting their property to agricultural or horticultural land, forest land, and open space and recreation land.

If they subsequently plan to sell the land, the municipality has a right of first refusal to buy the property at fair market price. Similar mechanisms can be put in place for nonprofit housing organizations.

Examples: Newton, Lexington

### REUSE OF BROWNFIELDS SITES

Brownfields are abandoned, idle, or under-used industrial and commercial facilities where economic expansion or redevelopment is complicated by environmental contamination. The Massachusetts Brownfields Law, passed in 1998, encourages the development of these sites through a variety of economic incentives.

Examples:

- Cordage Park, Plymouth is a 96-acre waterfront property which includes 13 historic mill buildings and contains 1.5 million square feet of space. Since manufacturing activities ceased in 1965, its use has languished. A current proposal by New Millennium Ventures, working closely with the town and state and federal agencies, would reuse the site for housing while preserving seven historic rope factory buildings. The redevelopment will also include a marina and related services, shops, restaurants, and public waterfront open space. NMV expects to create 336 to 550 permanent jobs and 440 to 677 construction-related jobs.
- Balfour Park in Attleboro is the former site of the Balfour factory, which made class rings. The City of Attleboro purchased this three-acre site on the Ten Mile River, demolished the former factory building, remediated the site, and constructed Balfour Park. The park includes a river walk, a picnic area, an amphitheatre, two tot-lots, and a skate park. The City used a creative financial partnership for the project, including Urban Self Help funds from EOEa for parkland acquisition and construction, and financial support from the Balfour Company for brownfields remediation.

### USING ZONING TO PROTECT NATURAL RESOURCES

#### Open Space Zoning (a.k.a. cluster zoning)

Open Space Zoning is a useful technique for preserving open space while still allowing development to occur. Open Space Zoning, also known as cluster zoning, allows smaller residential lots so long as a required amount of acreage is set aside as permanent open space. The open space is owned either by the municipality or a nonprofit organization and continues in use for agriculture, recreation, scenic views, the protection of archaeological sites or other benefits. Open Space Zoning not only preserves valuable open space, but creates neighborhoods in what is actually a traditional New England village setting. It is more economical because streets and utility services are shorter.





If open space development is not required under your zoning code, it may be necessary to offer an incentive -- such as a simplified or shortened review process -- to developers considering this type of development. Some communities allow more units to be constructed in a cluster development than in regular subdivisions. However, this should only be done after a planning process has determined areas suitable for higher density.

Often, a developer is required to prepare both a conventional subdivision and an Open Space Subdivision so that the two can be compared and the maximum density allowed under a conventional subdivision can be verified. It should be noted that unbuildable land for house sites should not be included in the calculation.

## Amesbury

The town of Amesbury has a Rural Cluster District. In this district, conventional cookie-cutter subdivisions require a minimum ten acres per lot -- whereas the lots in cluster subdivisions can be as little as 10,000 square feet with a two-acre density throughout. This creates a very strong economic incentive for cluster subdivisions.

## Amherst

The town of Amherst has preserved approximately 220 acres through its open space bylaw. In Amherst, open space developments are mandatory in certain agricultural areas.

## Hopkinton

The town of Hopkinton passed an Open Space and Landscape Preservation Development Bylaw in 1989. Since that time, 22 plans have been approved under the bylaw. Through this successful bylaw, over 400 acres of open space has been conveyed to either a homeowner's association, land trust, or to the town. Hopkinton has made an extra effort to make sure that the parcels connect to other open space, state parks or town owned property. In 1996, the town adopted a similar bylaw for its business and industrial zones.

## North Andover

Hickory Hill, with houses on one-half-acre lots, is one of several cluster subdivisions in North Andover. The creation of the subdivision resulted in 55 acres of preserved open space, 37 acres of which remain in agricultural use. This development also has a hiking trail accessible from within the subdivision.

*Source: Christopher C. Skelly, Massachusetts Historical Commission. Please contact the MHC for up to date information.*



*New clustered homes in Amherst.*

*The open space preserved here was a nearby cornfield.*



*The Hickory Hill cluster subdivision in North Andover.*

### Flexible Development Zoning

Flexible Development Zoning is an alternative method of subdividing land for residential development. In a Flexible Development subdivision, lot size and frontage requirements are relaxed to let the developer prepare a site plan that conforms to natural resources. In conventional subdivision plans, developers attempting to place the maximum number of lots on the property often grade large areas of land, harm sensitive areas, and increase the amount of roadway. Under Flexible Development Zoning, the number of lots allowed under a conventional subdivision plan remains unchanged, but the lots and roadway design can change so that natural features are protected.

While Flexible Development can help to protect some natural features, it is not the best approach everywhere, since it still means the loss of open space. As with Open Space Zoning, Flexible Zoning should not permit more lots than would be allowed under a conventional subdivision plan unless this is clearly part of an area planned for additional density. In addition, the ability to build a conventional subdivision should be demonstrated prior to allowing a flexible development to proceed.

#### Weston

The Flexible Development bylaw in the town of Weston has been very successful according to the Planning Board. The bylaw has been used extensively for new developments. Under the bylaw, lot size and frontage can vary based on the topography and other natural features.

Note: This guidebook makes the following distinction between open space/cluster and flexible zoning: In open space/cluster, there is a mandatory set aside of open space through a conservation restriction. In flexible development zoning, there is *no* set aside of open space. All property is subdivided into private property. However, the bylaw provides a great deal of flexibility to the Planning Board to vary from rigid subdivision regulations.

*Source: Christopher C. Skelly, Massachusetts Historical Commission. Please contact the MHC for up to date information.*

### VILLAGE CENTER ZONING

Village Center Zoning is a technique used to create a small scale mixed-use commercial district. Rather than the suburbanized environment that results from requiring large parking lots and setbacks, Village Center Zoning fosters pedestrian access, mixed-use development, and new construction compatible with the setbacks and scale of existing structures.



*A new subdivision in Weston. The roadway is at a pleasant scale, accomplished through flexible zoning.*





At a minimum, your Village Center Zoning should include the following:

## Zero lot line or reduced setback requirements

Village Center Zoning should require new construction to respect the traditional smaller setbacks.

## Parking lot requirements

Village Center Zoning should strongly discourage any off-street parking in front of buildings. Village center parking is best located in municipal parking lots and through on-street parking.



## Mixed-use development

A village or downtown center should have a mix of uses, such as residential, retail, and office.

## Pedestrian scale

A village center should be pedestrian-friendly, including features such as sidewalks, crosswalks, street furniture, a variety of visual experiences, transparent storefronts, etc.



If your Village Center Zoning doesn't include the criteria above, consider changing the bylaw to better preserve the unique character of your village center.

## Acton

The town of Acton has Village Center Zoning for its four village centers. One goal of the zoning is to make sure that a residential presence remains in the villages.

## Framingham

Framingham created a Neighborhood Business District to keep small businesses close to the neighborhoods.

## Norfolk

The town of Norfolk created a new zoning district to encourage the development of a traditional New England village center. The bylaw considers such things as pedestrian access, building scale, architectural features and shared parking facilities. The changes were based on a master plan.

*The town of Acton's West Acton Village incorporates mixed use development.*

### Orleans

Within the Village Center District in Orleans, certain uses are barred (drive-throughs, auto service stations, or side-yard parking). The maximum setback for buildings is 25 feet and this is to be used only for landscaping or pedestrian areas. The Orleans bylaw encourages compact development and small-scale buildings. An interesting feature of this bylaw is that facade transparency is required along major pedestrian ways.

*Source: Christopher C. Skelly, Massachusetts Historical Commission.  
Please contact the MHC for up to date information.*

### SCENIC VISTA PROTECTION BYLAWS

Scenic Vista Protection Bylaws seek to protect the scenic qualities of mountains, hills and rolling terrain by requiring additional design criteria for new construction in these highly visible areas.

#### Provincetown - High Elevation Protection District

This bylaw was created to preserve high elevation dunes which are of natural scenic beauty, important to the tourist economic base of the town, and which present serious concerns regarding the consequences of erosion. Through site plan review, building sites are directed away from the crest of hills, and required to blend with the natural landscape.

#### Wilbraham - Ridgeline and Hillside District

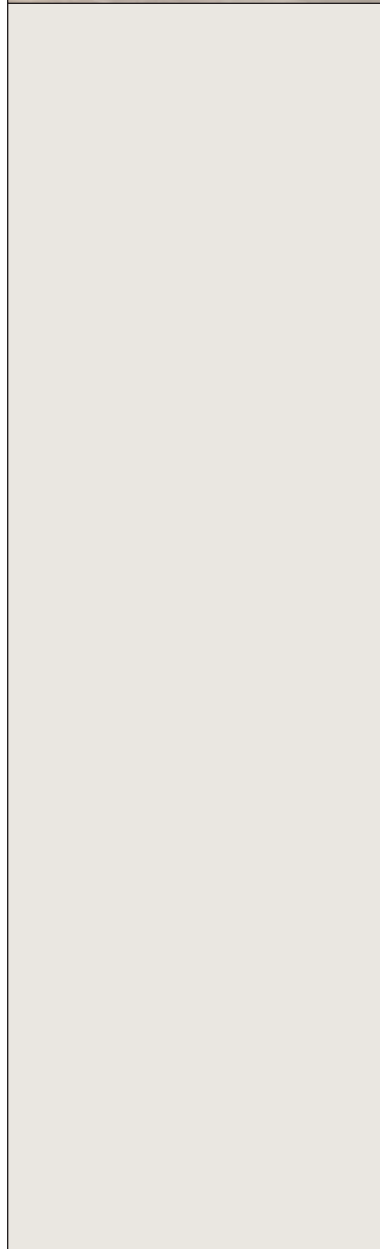
This bylaw takes effect above 550 feet and covers new construction that might be visible from a public area. New buildings must be sensitive to the terrain, existing vegetation, and viewsheds.

*Source: Christopher C. Skelly, Massachusetts Historical Commission.  
Please contact the MHC for up to date information.*

### Design Review Boards

A Design Review Board is a group appointed to review new construction and additions to buildings. Usually a Design Review Board will review projects within an already built-up area such as a downtown, in order to keep building construction and design compatible with existing resources. The Board reviews proposed projects and generally makes recommendations to the Planning Board.

Although Design Review Boards are advisory and do not have specific regulatory power, they are an effective method of public process and the comments of an officially designated town board are usually taken seriously. Communities are also encouraged to pursue regulatory tools such as Local Historic Districts, which are far more effective at preserving community character in historic areas.







### *TDR in Groton*

*Through a special permit process, development rights can be transferred from lands targeted for protection and used to increase density by 20% within clustered subdivisions. Utilizing TDR credits, a developer can also increase the amount of development permitted under the town-wide building cap in any given year. (For example, a developer can increase from 12 to 18 the number of units that can be constructed annually within a subdivision, at a rate of two additional units per transferred credit.) To date, 400 acres of land have been protected under the program.*

## SAMPLE STRATEGIES

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Design Review Boards develop design guidelines for projects and make recommendations to the Planning Board. Design Guidelines are typically used in older commercial areas to maintain the architectural integrity of existing structures and to propose the needed public infrastructure (streetscape design) that supports the pedestrian and vehicular objectives of the area. Design Guidelines are used for new construction to maintain the intended scale and architectural characteristics.

### **Design Review Boards typically consider the following:**

- Architectural features such as roof lines, heights, windows, doors, facades and materials.
- Scale, setbacks and siting of the building.
- Signage.
- Landscaping.

### **Brookline**

In Brookline, the Planning Board has been the designated Design Review Board since the design review bylaw was adopted in 1971. Here, the Planning Board reviews "all new construction and building renovation on major commercial streets and of significant size and impact."

A helpful tool for developers was the creation of a booklet, with illustrations, which explains the expectations for new development.

*Source: Christopher C. Skelly, Massachusetts Historical Commission. Please contact the MHC for up to date information.*

### **Transferable Development Rights (TDR)**

TDR is a market-based system that distributes the burden of land use regulations more evenly than conventional zoning. The community identifies certain areas that need to be protected ("sending areas") and other areas where development should be encouraged ("receiving areas"). Landowners in the sending areas are allowed to sell the development rights that they can no longer use to landowners in the receiving areas, who can now build to a greater density. The transfer is permanently recorded on the sending property's deed.

In this way landowners in the sending area share in the financial gains of development, by selling their development rights to willing buyers. The total amount of development has not increased, but it has been redistributed in a more efficient and environmentally protective manner.

TDR can help concentrate growth in city and town centers and other designated growth zones. Such a shift may reduce the costs of municipal infrastructure and services; ease traffic and associated impacts to air and water quality; spur economic revitalization and infill of existing downtown areas; and preserve forests and working farms. Unlike zoning or other regulatory programs, TDR results in the permanent protection of open space.

## Examples:

The following is a list of towns with known TDR programs or comparable measures (this list may not be all-inclusive): Acton, Bedford, Boston, Cambridge, Concord, Groton, Mashpee, Northbridge, Northampton, Southborough, Sterling, Sunderland, Townsend, and Williamstown.

## TOOLS FOR ALLEVIATING TRAFFIC CONGESTION

## Transit-oriented development

Planners define transit-oriented development as housing or commercial projects that are located within walking distance of train or subway stations, or light rail or bus lines. Such developments can significantly reduce local traffic congestion, particularly if they include local groceries, drugstores, and other convenience retail outlets. Many of the most attractive commercial centers and residential neighborhoods in older Massachusetts communities historically developed in this manner before World War II. Such areas are now often the focus of new investment.

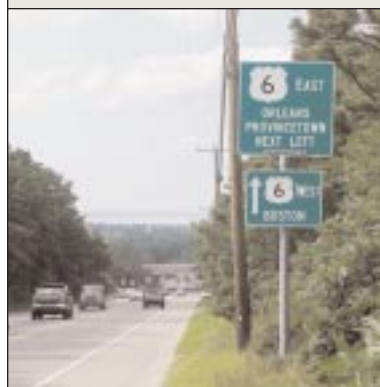
To learn more about the general characteristics of transit-oriented development and to access a report on a typical example in Newton, see: [http://www.terrain.org/Archives/Issue\\_2/Newton\\_Centre/newton\\_centre.html](http://www.terrain.org/Archives/Issue_2/Newton_Centre/newton_centre.html)

## Examples in other states:

- The City of Seattle has several resources online, including goals and strategies to promote transit-oriented development: <http://www.pan.ci.seattle.wa.us/planning/cr29867.htm>  
Interested communities can also contact Station Area Planning Team, Strategic Planning Office, phone: (206) 684-8542, e-mail: [esther.wilson@ci.seattle.wa.us](mailto:esther.wilson@ci.seattle.wa.us).
- The regional planning agency for metropolitan Portland, Oregon has worked with local communities and private developers to create transit-oriented developments around new stations on the metropolitan light rail system.

*Bikeway spurs new development*

*The Minuteman Commuter Bikeway, which runs from Cambridge through Arlington and Lexington to Bedford, has spurred significant new housing and commercial development, as well as creating a major new interlocal recreational resource. In Arlington, all of the town's major new housing development created within the last ten years - a total of 300 units - is located adjacent to the Bikeway. Real estate advertisements regularly cite proximity to the bikeway as an amenity. Contact: Arlington town planner, telephone: (781) 316-3091.*





## COMMUNITY PLANNING PROFILE

***The Challenge:**  
Making it easier for  
citizens to get around  
without a car.*

***The Solution:**  
Putting bike racks on  
public busses.*

*Transit systems that  
accommodate bicycles help  
to facilitate intermodal  
travel and improve the  
utility of public transit.  
The Greater Attleboro  
and Taunton Regional  
Transportation Authority  
has installed bike racks  
on many of its buses. This  
is a relatively low-cost,  
simple idea and the effect  
has been to make both  
bicycles and public transit  
more efficient, appealing  
modes of transportation.*

*For more information on  
GATRA and other transit  
systems that are making  
efforts to accommodate  
bicycles, visit  
[http://www.bikemap.com/  
transit/ma.htm](http://www.bikemap.com/transit/ma.htm)*

## SAMPLE STRATEGIES

APPENDIX  
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### Managing transportation system supply

- Traffic signal improvements.
- Intersection improvements.
- Turning lanes.
- One-way streets.
- Street widening.
- Geometric design.
- Access management.
- Implement/improve transit services.
- Land use policies for improved transit access.
- Transit-oriented parking management strategies.
- Employer initiatives that encourage transit use.

### Managing transportation demand

- Parking management.
- Traffic calming.
- Transportation Demand Management Programs.
- Ridesharing.
- Alternative work hours.

#### Example:

Cambridge - Traffic Calming Program, Transportation Demand Management Ordinance. For more information contact the city's Community Development Department. Telephone: (617) 349-4629. Or visit <http://www.ci.cambridge.ma.us/~CDD/envirotrans/index.html>